

Regular Session, 2010

# ACT No. 225

HOUSE BILL NO. 66

BY REPRESENTATIVE TIM BURNS

1 AN ACT

2 To amend and reenact R.S. 9:2371, relative to donations inter vivos; to provide for  
3 acceptance of donations of immovable property; to provide for recordation; to  
4 provide form requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2371 is hereby amended and reenacted to read as follows:

7 §2371. Recordation of donations inter vivos; effect

8 ~~€.~~ Notwithstanding any provision of law to the contrary, a subsequent  
9 alienation or encumbrance of an immovable by a donee shall be considered an ~~act~~  
10 ~~of corporeal possession~~ acceptance in accordance with the provisions of Civil Code  
11 Article ~~1541~~ 1544, and shall be effective against third persons upon recordation of  
12 any act or other document which alienates or encumbers the property, regardless of  
13 form, filed in the parish in which the immovable is situated. ~~Any person claiming~~  
14 ~~to be adversely affected by this Subsection has ninety days from August 15, 1995,~~  
15 ~~within which to assert his claim. The provisions of this Subsection shall apply to any~~  
16 ~~title-based, whether directly or indirectly or in whole or part, on an act of inter vivos~~  
17 ~~donation executed prior to August 15, 1995.~~

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_